

Remarks

The Applicants have amended the specification to place it into better form for allowance, particularly with respect to headings. Entry of the changes into the official file is respectfully requested.

All of the claims have been amended. Several of the amendments are merely directed to form. Others of the amendments will be addressed below with respect to the rejections under §112.

Claims 7-14 stand rejected under 35 USC §112 as being indefinite. The Applicants note with appreciation the Examiner's helpful comments with respect to Claims 7 and 9. The Applicants have accordingly amended Claim 7 to remove the "and/or" language. Withdrawal of that portion of the rejection is respectfully requested.

Claim 9 has been amended as have Claims 10-14 with respect to the "concavo-convex shape" language. That language has now been replaced by "concave or convex or both shape." What this means is that the FRP panel which can be the bonnet or hood of an automobile can have concave shapes, convex shapes or both. It is well known in the art that automobile portions such as hoods/bonnets are made in a wide variety of shapes that can encompass flat surfaces, concave surfaces and/or convex surfaces all in the same single panel. This is also indicated in the Applicants' specification such as on page 11 which refers to various concave portions or convex portions with reference numbers 161, 163 and 165 and as indicated in the corresponding drawings. Withdrawal of that portion of the rejection is respectfully requested.

Claims 1-23 stand rejected under USC §112 as failing to comply with the written restriction requirement. The Applicants note with appreciation the Examiner's comments with respect to the term "panel element." This item is actually a very minor item which is caused by imprecision in translation from Japanese to English. In other words, use of the term "element" is not particularly accurate in ordinary English usage. The Applicants have therefore amended Claims 1-3 and 5 from "panel element" and "panel elements" to "panel portion" and "panel portions" respectively. This is simply a better translation of the original Japanese text and is easily seen by reference to the specification and the drawings. The Applicants have also amended the specification in several important initial locations to provide additional clarity on

this point. In particular, paragraphs [0007] and [0008] now refer to the “panel portion” as essentially the same as and equivalent of the original “panel element” description.

Referring to Figs. 1, 2 and 7, for example, it can be seen that an entire FRP panel such as indicated by reference numbers 1-11 and 51, respectively, are shown. A portion of those panels, initially referred to as a “panel element” comprises the first FRP layer and the second FRP layer. However, there are other portions of the entire FRP panel that do not comprise both the first FRP layer and the second FRP layer which form the panel element through the panel portion. Fig. 7 illustrates this particularly well wherein both the far left-hand part of Fig. 7 as well as the far right-hand part of Fig. 7 are not comprised of the panel portions referred to in Claim 1, for example.

The Applicants accordingly respectfully submit that the rejection merely calls for clarification of the original translation of the term “panel element” which has now been clarified in the specification and the claims as a “panel portion” comprising a first FRP layer and a second FRP layer as shown in a representative way in Figs. 1, 2 and 7. This simply means that an FRP panel may contain panel portions as well as non-panel portions. The Applicants therefore respectfully request withdrawal of the §112 rejection.

The drawings stand objected to under 37 CFR 1.83(a). The Applicants respectfully submit that this objection is now moot with respect to the cancellation of the panel element language from the claims and in view of the clarifying discussion above with respect to what was originally termed the panel elements, but is in reality merely a panel portion of an entire FRP panel.

Claims 1-6, 9, 10, 13 and 23 stand rejected under 35 USC §102 as being anticipated by JP ‘846. The Applicants note with appreciation the Examiner’s detailed comments hypothetically applying JP ‘846 against those claims. The Applicants nonetheless submit that the rejection is inapplicable for the reasons set forth below.

The Applicants have amended Claim 1 to recite a panel portion having a first FRP layer on a first surface side and a second FRP layer on a second surface side on an opposite side of the first surface wherein in either of the first and second FRP layers is formed as a low-rigidity or a low-strength or both FRP layer and the low-rigidity or low-strength or both FRP layer forms a crushable structure that absorbs impacts. Support may be found throughout the Applicants’

specification such as in paragraph [0017], for example. The Applicants respectfully submit that this structure is not disclosed by JP '846. In that regard, JP '846 discloses an FRP panel having high rigidity. Representative examples of such disclosure may be found in paragraphs [0014], [0019] and [0037] which discusses the objective of forming a high rigidity FRP panel.

In sharp contrast, the Applicants have found that by forming the low-rigidity and/or low-strength FRP layer as a crushable structure, they are able to obtain an FRP panel which by virtue of a portion being crushable can effectively absorb impacts to help avoid injuring or breaking the totality of the FRP panel in instances where it is difficult to avoid collisions or contact between some other object such as an object within an engine compartment of automobile. Thus, the Applicants claim essentially the opposite of what is disclosed by JP '846. The Applicants specifically claim a crushable structure, while JP '846 seeks to have a highly rigid structure and does not explicitly or implicitly mention crushability to absorb impacts. Withdrawal of the rejection is respectfully requested.

Claims 7, 8 and 18-22 stand rejected under 35 USC §103 over JP '846. The Applicants again note the Examiner's detailed comments hypothetically applying JP '846 against those claims. The Applicants nonetheless submit that the subject matter of those claims is not obvious over JP '846.

As noted above, JP '846 essentially teaches in the opposite direction of what the Applicants claim, namely JP '846 teaches a high rigidity FRP panel, while the Applicants claim an FRP panel having a panel portion which forms a crushable structure that absorbs impacts. The Applicants respectfully submit that they proceed essentially in the opposite direction of the direction taught by JP '846 and such teaching away is compelling evidence of non-obviousness. Withdrawal of the rejection is respectfully requested.

Claims 11-17 stand rejected under 35 USC §103 over the hypothetical combination of Fujimoto with JP '846. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying the combination against those claims. The Applicants nonetheless respectfully submit that even if one skilled in the art were to hypothetically combine Fujimoto with JP '846, the result would still be a highly rigid FRP panel which is the opposite of the Applicants' FRP panel which has a panel portion with a crushable structure that absorbs impact. Withdrawal of the rejection is accordingly respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'TDC', with a stylized flourish extending from the end.

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